

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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Joseph Johnson,

Plaintiff,

Civil No. 05-159 (RHK/AJB)

vs.

**ORDER ON STEINKAMP  
MOTION TO DISMISS**

Special Agent Josh Florell, et al,

Defendants.

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After a de novo review of the November 8, 2005 Report and Recommendation of Magistrate Judge Arthur J. Boylan, and Plaintiff's Objections thereto, and determining that the recommendations of Judge Boylan are supported by the record before him and controlling legal precedent, **IT IS ORDERED:**

1. The Report and Recommendation (Doc. No. 50) is **ADOPTED**;
2. The Objections (Doc. No.55) are **OVERRULED**;
3. The Motion to Dismiss by Defendant Steinkamp (Doc. No. 35) is **GRANTED**;
4. Defendant's Alternative Motion for Summary Judgment (Doc. No. 35) is

**DENIED AS MOOT;**

5. The claims against Defendant Steinkamp are **DISMISSED WITH PREJUDICE**;

and

6. Plaintiff's Motion in Opposition to Defendant U.S. Assistant Attorney David Steinkamp's Motion to Dismiss, Alternatively for Summary Judgment (Doc. No. 43) is **DENIED.**

Dated: December 7, 2005

s/Richard H. Kyle  
RICHARD H. KYLE  
United States District Judge